United Nations

Report of the Ad Hoc Committee on the Indian Ocean

General Assembly
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Supplement No. 29 (A/50/29)

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I. INTRODUCTION

1. By its resolution 49/82 of 15 December 1994, the General Assembly, after taking note of the report of the Ad Hoc Committee on the Indian Ocean, 1/ requested the Ad Hoc Committee to continue its elaboration of new alternative approaches, including those discussed during the session held in 1994, with a view to giving new impetus to the process of strengthening cooperation and ensuring peace, security and stability in the Indian Ocean region; noted that the entry into force in November 1994 of the United Nations Convention on the Law of the Sea 2/ would enhance prospects for mutually accommodative measures of cooperation on a regional as well as global basis, including the freedom of the high seas, in conformity with the Convention; reiterated its conviction that the participation of all permanent members of the Security Council as well as major maritime users in the work of the Ad Hoc Committee was important and would greatly facilitate development of a mutually beneficial dialogue to advance peace, security and stability in the Indian Ocean region; requested the Chairman of the Ad Hoc Committee to apprise the Governments of the States permanent members of the Security Council concerned and the major maritime users of the progress of the work in the Committee, and to consult with them in order to encourage their renewed participation and cooperation in the work of the Committee; and recalled the general recognition of the need to pursue both global and regional efforts in a complementary way, bearing in mind that the States of the region could provide their own specific constructive contribution to the strengthening of peace, security, stability and cooperation in the Indian Ocean region. The Assembly also requested the Committee to submit to the General Assembly at its fiftieth session a report on the implementation of the resolution.

2. Pursuant to General Assembly resolution 49/82, the Ad Hoc Committee held its session on 30 March and from 27 to 30 June 1995 (see A/AC.159/SR.438-442) at United Nations Headquarters. The Committee held five formal meetings as well as two informal meetings during 1995.

3. The following 12 delegations made statements in the general discussion under agenda item 6: Australia, Bangladesh, China, India, Indonesia, Maldives, Mauritius, Pakistan, Russian Federation, South Africa, Sri Lanka and Zambia.

4. The Ad Hoc Committee is composed of the following States:

(a) 44 members:

Australia
Bangladesh
Bulgaria
Canada
China
Djibouti
Egypt
Ethiopia
Germany
Greece
India
Indonesia
Iran (Islamic Republic of)
Iraq
Italy
Japan
Kenya
Liberia
Madagascar
Malaysia
Maldives
Mauritius
Mozambique
Netherlands
Norway
Oman
Pakistan
Panama
Poland
Romania
Russian Federation
Seychelles
Singapore
Somalia
Sri Lanka
Sudan
Thailand
Uganda
United Arab Emirates
United Republic of Tanzania
Yemen
Yugoslavia 3/
Zambia
Zimbabwe

(b) Observers: Nepal, South Africa, Sweden.

5. The elected officers of the Ad Hoc Committee were the following:

Chairman: Mr. Herman Leonard de Silva (Sri Lanka)

Vice-Chairmen: Mr. Pedro Comissario Afonso (Mozambique)
Ms. Genevieve Hamilton (Australia)
Mr. Mohammad Jusuf (Indonesia)

Rapporteur: Ms. Jocelyne Lingaya (Madagascar)

II. WORK OF THE AD HOC COMMITTEE IN 1995

A. Agenda of the Ad Hoc Committee

6. At its 438th meeting, the Ad Hoc Committee adopted the following agenda (A/AC.159/L.122):

1. Opening of the session.

2. Election of the Chairman.

3. Election of the Vice-Chairman.

4. Election of the Rapporteur.

5. Adoption of the agenda.

6. Implementation of General Assembly resolution 49/82 of 15 December 1994:

   General discussion;

   Further consideration of new alternative approaches;

   Future role of the Ad Hoc Committee.

7. Report of the Ad Hoc Committee to the General Assembly at its fiftieth session.

8. Other matters.

B. Implementation of General Assembly resolution 49/82

7. During the five formal meetings, held on 30 March and from 27 to 30 June (438th to 442nd meetings), as well as in two informal meetings, the Ad Hoc Committee considered General Assembly resolution 49/82 and its implementation.

8. During these meetings, an exchange of views took place on, inter alia, the future role of the Ad Hoc Committee.

9. The Ad Hoc Committee heard a number of statements relating to recent initiatives taken by countries pertaining to cooperation, in particular economic cooperation, in the Indian Ocean region.

10. At the 439th meeting of the Ad Hoc Committee, the Chairman made the following statement in connection with paragraph 5 of resolution 49/82:

> "Pursuant to the request made by the General Assembly in its resolution 49/82 of 15 December 1994 that the Chairman of the Ad Hoc Committee should apprise the Governments of the permanent members of the Security Council concerned and the major maritime users of the progress of work in the Committee and consult with them in order to encourage their resumed participation and cooperation in its work, I had direct consultations in the capitals concerned with the Governments of France, the

United Kingdom of Great Britain and Northern Ireland and the United States of America.

"At each of the meetings, I referred to the context in which the consultations were being made, with particular reference to several matters mentioned in the resolution. Briefly speaking, these were: the newly emerging international climate of confidence following the end of the cold war and the reduction of tensions consequent on the termination of super-Power rivalry, the end of apartheid in South Africa, the entry into force of the United Nations Convention on the Law of the Sea and the commencement of the Middle East peace process, all of which augured well for peace in the Indian Ocean area, presenting new opportunities for regional and global cooperation in the Indian Ocean.

"It was stressed that our cooperative enterprise for strengthening peace, security and stability in the Indian Ocean region could also be pursued through various alternative approaches that had come up for discussion before the Ad Hoc Committee. I made reference to the specific approaches that had been considered and to the fact that their eventual acceptance would greatly depend on the measure of consensus and agreement reached by all the States concerned. For this to be achieved, dialogue and a frank interchange of views were a necessity and the Committee should be viewed as an ideal forum for discussion and debate on issues that might otherwise threaten international peace and security. The concept of the Indian Ocean as a zone of peace, I explained, had contained the valuable idea of a community of Indian Ocean States. Aspects of a similar concept had found expression in the recent proposals that had emerged from Australia, India, Mauritius and South Africa.

"I informed them that it was the view of the Ad Hoc Committee, confirmed by the General Assembly in its resolution, that the renewed participation of the three permanent members of the Security Council that had withdrawn from the Committee in 1989 would be most conducive to the success of the work of the Committee, and added that I would welcome the views of those Governments, whether positive or negative, on how best we could proceed in this matter.

"The authorities of the British Foreign and Commonwealth Office in London, whom I met on 10 May 1995, outlined the reasons why the United Kingdom had withdrawn from the Ad Hoc Committee along with France and the United States. Although the Government of the United Kingdom favoured the idea of nuclear-weapon-free zones and zones of peace in general, it had not favoured certain aspects of the 1971 Declaration of the Indian Ocean as a Zone of Peace and the approach that had emerged therein, which had occasioned the withdrawal. Reference was made to the need to reconsider the mandate of the Committee, although the Government of the United Kingdom was appreciative of the positive development that had taken place in the Committee. The Government of the United Kingdom agreed to communicate with me in due course. Subsequently, on 13 June 1995, I received a formal communication from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations, H.E. Sir David Hannay, in which he expressed the view that his Government did not believe that at this juncture there was sufficient reason to reconsider its decision to withdraw from the Committee, but that the United Kingdom had noted with particular interest the new alternative approaches proposed by members of the Committee during the 1994 session.

"I met the authorities of the French Department of Strategic Affairs, Disarmament and Security, on 11 May 1995, at the Ministry of Foreign Affairs in Paris. The position of the Government of France was that it did not want to subscribe to the 1971 Declaration. However, France had an interest in the work of the Ad Hoc Committee and the zone of peace and was prepared to examine the new alternative approaches that were being considered in a positive manner. The Government was not prepared to rejoin the Committee while the 1971 Declaration remained in its original form without some form of amendment to the references to the need to dismantle bases and military installations. I explained that the Committee had acknowledged that the nature of the foreign military presence had changed and the General Assembly itself had drawn attention to the altered international situation. While the need to achieve the ultimate objectives of peace and security in the region still remained valid, the pursuit of the alternative approaches reflected the new stance of the Committee. In the course of the discussion, it was indicated that a new mandate for the Committee could be decided on only by the Assembly. The French authorities stated that, if the Committee was to take into account the views of the Government of France, it might be possible for France to rejoin the Committee.

"My meeting with the United States Government was held in the State Department in Washington, D.C., on 8 June 1995. The United States authorities explained the circumstances in which the Government had felt obliged to withdraw from the Committee and expressed interest in the new approaches that had come up for consideration by the Committee. The United States appreciated the value of the Committee as a forum for discussion of wide-ranging issues and would eventually communicate the response of the United States Government to General Assembly resolution 49/82. The final response of the United States Government is awaited."

C. Introduction and adoption of the report of the Ad Hoc Committee to the General Assembly at its fiftieth session

11. At its 440th meeting, on 28 June 1995, the Ad Hoc Committee decided to admit South Africa, upon its request, to participate as an observer in the work of the Committee at its 1995 session.

12. At its 442nd meeting, on 30 June, the Rapporteur of the Ad Hoc Committee introduced the draft report of the Committee (A/AC.159/L.123).

13. At the same meeting, the Ad Hoc Committee considered and adopted its draft report to the General Assembly (A/AC.159/L.123), as orally amended.

III. CONCLUSIONS AND RECOMMENDATIONS

14. The Ad Hoc Committee reaffirmed the conclusions and recommendations it had reached during its sessions in 1993 and 1994 and emphasized the need to foster consensual approaches, particularly given the prevailing international climate, which was conducive to the pursuit of such endeavours. The Committee reaffirmed the commitment to the realization of the goals of peace, security and stability in the Indian Ocean region leading to the creation of a zone of peace.

15. In accordance with General Assembly resolution 49/82, the Ad Hoc Committee continued its discussion of new alternative approaches, taking into consideration positive as well as negative developments, including those in the region.

16. The Ad Hoc Committee noted initiatives taken by countries in the region to promote cooperation, in particular economic cooperation, in the Indian Ocean area and the possible contribution of such initiatives to the overall objectives of a zone of peace.

17. The Ad Hoc Committee remained convinced that the participation of all permanent members of the Security Council and the major maritime users in the work of the Committee was important and would assist the progress of a mutually beneficial dialogue to develop conditions of peace, security and stability in the Indian Ocean. It was essential to advance such a dialogue when the Committee was examining its future role and elaborating alternative approaches. The Committee accordingly encouraged the permanent members of the Security Council concerned and major maritime users to resume participation in the work of the Committee.

18. The Ad Hoc Committee noted the comprehensive statement made by the Chairman, in connection with paragraph 5 of resolution 49/82, on his consultations with the Governments of the States permanent members of the Security Council concerned regarding their resumed participation in the Committee (see para. 10 above). In this regard, the Committee was of the view that further consultations were required, and requested the Chairman to pursue his dialogue on the work of the Committee with the permanent members of the Security Council and other major maritime users and to report thereon to the Committee at its next session.

19. The Ad Hoc Committee felt that greater efforts and more time were required to develop a focused discussion on practical measures to ensure conditions of peace, security and stability in the Indian Ocean region.

20. The Ad Hoc Committee recommended that the Chairman apprise it of his consultations and other relevant developments at a meeting to be called in 1996 for that specific purpose, to take place before the 1997 regular session of the Committee.

Notes

1/ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 29 (A/49/29).

2/ Official Records of the Third United Nations Conference on the Law of the Sea, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

3/ General Assembly resolution 47/1 applies.